

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1008 be amended to read as follows:

- 1 Page 18, line 37, delete "The" and insert "**Except as otherwise**
- 2 **provided by IC 8-15.7-10-3**, the".
- 3 Page 48, line 27, delete "The" and insert "**Except as otherwise**
- 4 **provided by this article, the**".
- 5 Page 66, between lines 33 and 34, begin a new paragraph and insert:
- 6 "**Sec. 3. (a) As used in this section, "condemn" means any**
- 7 **person authorized by Indiana law to exercise the power of eminent**
- 8 **domain.**
- 9 **(b) A condemnor may not exercise the power of eminent domain**
- 10 **to acquire real property with respect to a project under this article:**
- 11 **(1) from a private entity; and**
- 12 **(2) with the intent of transferring ownership or control of the**
- 13 **real property to another private entity, including a private**
- 14 **entity that is a party to a public-private agreement."**
- 15 Page 68, line 20, delete "The" and insert "**Except as otherwise**
- 16 **provided by this article, the**".
- 17 Page 68, line 23, delete "The" and insert "**Except as otherwise**
- 18 **provided by this article, the**".
- 19 Page 71, between lines 13 and 14, begin a new paragraph and insert:
- 20 "**SECTION 36. IC 8-23-7-33 IS ADDED TO THE INDIANA**
- 21 **CODE AS A NEW SECTION TO READ AS FOLLOWS**
- 22 **[EFFECTIVE UPON PASSAGE]: Sec. 33. The department may not**
- 23 **exercise the power of eminent domain to acquire real property with**
- 24 **respect to a state highway:**

1 **(1) from a private entity; and**

2 **(2) with the intent of transferring ownership or control of the**
3 **real property to another private entity, including a private**
4 **entity that is a party to a public-private agreement."**

5 Page 78, between lines 6 and 7, begin a new paragraph and insert:

6 **"SECTION 46. [EFFECTIVE UPON PASSAGE] Except as**
7 **provided in IC 8-23-7-13 and IC 8-23-7-17, the department may not**
8 **transfer the ownership or control of real property acquired for a**
9 **state highway before the effective date of this SECTION to another**
10 **private entity, including a private entity that is a party to a**
11 **public-private agreement."**

12 Renumber all SECTIONS consecutively.

(Reference is to HB 1008 as printed January 26, 2006.)

Representative Pierce